

On Jun 29, 2015, at 1:07 PM, Ford, Mark <Ford.Mark@epa.gov> wrote:

Mr. Grisham:

As we discussed last week, your emailed questions were converted into FOIAs, each with a FOIA tracking number. According to the emails you sent me today, you have these FOIA numbers and the information requested under each.

Furthermore, as we discussed last week and as you agreed, the FOIA process does not entertain that answers will be provided to the public when they submit questions. Rather, the FOIA process provides that we research our records and files to ascertain if we have responsive documents.

Accordingly, we are researching our records to ascertain if we have responsive documents which address your email (now FOIA). Also, please see 40 CFR Part 2 for the FOIA regulations and the process by which we follow. I also note, that your FOIAs are not being refused, rather, they are being processed pursuant to the FOIA protocol.

Many thanks,

Mark Ford
Senior Attorney/ORC
Superfund/FOIA

From: CC Grisham <grish@me.com>

Sent: Monday, June 29, 2015 2:47 PM

To: Ford, Mark

Cc: Charles Curtis Grisham Jr.; R6 FOIA; Patrick, Dwayne; Ortiz, Diana; Meyer, John; Tzhone, Stephen; Ragon, Derek; Kirst, Tina; Seager, Cheryl; Curry, Ron; McCarthy, Gina; Ulmer, Craig

Subject: Re: Questions raised via email

RE: EPA-R6-2015-007955

Mr. Ford:

Further regarding your objections below to my submitting FOIA requests for information in the form of "questions": Please note that the original FOIA request under discussion here (EPA-R6-2015-007955) was a "question" I had asked originally, which your team itself isolated and entered verbatim into the FOIA online system (in my name, although not under my account) **as a question** as follows (please see attached):

-begin quote-

On Jun 11, 2015, at 12:09 PM, r6foia@epa.gov wrote:

This message is to confirm your request submission to the FOIAonline application: View Request. Request information is as follows:

- Tracking Number: EPA-R6-2015-007955
- Requester Name: Charles Grisham
- Date Submitted: 06/11/2015
- Request Status: Submitted
- Description: **What are all the other "Final NPL" sites in Region 6 and their Hazard Ranking System "scores"?**

(emphasis added)

-end quote-

Although framed originally as a question, which was honored by you and your team as a FOIA request, you now cite the interrogatory nature of my follow-on requests as justification for your refusing to honor those follow-on request for a more complete response.

Therefore, I find you to be capricious and uncooperative below in your objecting statements that **"FOIA is not designed to provide answers to questions; rather, FOIA is designed to provide documents to requests."**

Please point me to the section of Title 40 of the Code of Federal Regulations upon which you base the above statement and your current refusal of my FOIA request due to its use of the interrogatory form and punctuation.



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